

Prob 12B

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**PETITION TO MODIFY THE CONDITIONS OR TERM OF SUPERVISION
WITH CONSENT OF THE OFFENDER**

(Probation Form 49, Waiver of Hearing, is on file)

Offender Name: Dana Coleman

Docket Number: 1:05CR00130-02 OWW

Offender Address: Los Angeles, California

Judicial Officer: Honorable Oliver W. Wanger
United States District Judge
Fresno, California

Original Sentence Date: 09/13/2005

Original Offense: 18 USC 371, Conspiracy to Commit Bank Fraud and Credit Card Fraud (CLASS D FELONY)

Original Sentence: 4 months BOP; 24 months supervised release;
\$15,271.02 restitution; \$100 special assessment

Special Conditions: 1) Search; 2) Not dispose of or dissipate assets; 3) Provide access to financial information; 4) Not to open additional credit or incur new credit charges; 5) Drug/alcohol testing and counseling; 6) Alcohol restrictions; 7) Mental health treatment; 8) Aftercare co-payment; 9) DNA testing; and 10) Reside and participate in a residential community corrections center for 4 months

Type of Supervision: Supervised release

Supervision Commenced: 11/18/2005

Assistant U.S. Attorney: Stanley A. Boone **Telephone:** (559) 497-4000

Defense Attorney: Ann H. Voris **Telephone:** (559) 487-5561

Other Court Action: None

RE: Coleman, Dana

Docket Number: 1:05CR00130-02 OWW

**PETITION TO MODIFY THE CONDITIONS OR TERM
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PETITIONING THE COURT

[X] To modify the conditions of supervision as follows:

1. You shall reside at and participate in a community corrections center program under the pre-release component as approved by the United States Probation Officer, for a period not to exceed 180 days or until discharged by the program director, pursuant to 18 USC 3563(b)(11). Subsistence fees are to be waived.

Justification: On November 18, 2005, Ms. Coleman completed the custody portion of her sentence and released directly into Gateway Community Corrections Center (CCC). Although Ms. Coleman has been largely compliant with the conditions of her supervision, she has had a number of rule violations, mostly her refusal to take her prescribed medications. Ms. Coleman is scheduled for release from Gateway CCC on March 18, 2006. However, Ms. Coleman has not yet been stabilized on her medications. As such, she has not secured employment and has been unable to begin making payments towards her special assessment and restitution.

Gateway CCC is uniquely equipped to work with residents suffering from mental illness. Each resident requiring mental health treatment is assigned a therapist and caseworker. Additionally, each receives an initial evaluation from a psychiatrist and follow up visits as necessary. The staff with whom Ms. Coleman is meeting with have been assisting her to become stable on her medications, to obtain a source of adequate income (Social Security Income or employment) and to obtain suitable shelter. Unfortunately, Ms. Coleman has not been able to find housing. Her relationships with family members are not supportive and each member has indicated she is not welcome to release to their home. Thus far, the efforts of Ms. Coleman and her caseworker to secure alternative housing have not been successful.

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Based on the aforementioned, it may be necessary for Ms. Coleman to remain at the CCC for up to an additional 180 days, under the pre-release component, while she secure housing. On February 22, 2006, Ms. Coleman agreed to a modification of her conditions of supervision and to waive a hearing before the Court. The Waiver of Hearing to Modify Conditions (Probation 49 Form) has been signed and attached. Furthermore, in an effort to assist her efforts to become self-sufficient in the community, it is recommended the Court waive the subsistence fees.

Respectfully submitted,

/s/ Jose T. Pulido

JOSE T. PULIDO
United States Probation Officer
Telephone: (559) 499-5725

DATED: March 7, 2006
Fresno, California
JTP

REVIEWED BY: /s/ Bruce Vasquez
BRUCE VASQUEZ
Supervising United States Probation Officer

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THE COURT ORDERS:

(X) Modification approved as recommended and any subsistence fees waived.

() Modification not approved at this time. Probation Officer to contact Court.

() Other:

IT IS SO ORDERED.

Dated: March 8, 2006
emm0d6

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE